

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT DUANE FRANKLIN,
Plaintiff,

No. C 07-05080 SBA (PR)

ORDER OF TRANSFER

v.

P.A.G. DUDLEY, ET AL.,
Defendants.

Plaintiff, a state prisoner, has filed a pro se civil rights action pursuant to 42 U.S.C. § 1983 and an application for in forma pauperis status. The acts complained of occurred at High Desert State Prison, which is located in the Eastern District of California, and it appears that the Defendants reside in that district. Venue, therefore, properly lies in that district and not in this one. See 28 U.S.C. § 1391(b).

Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The Clerk of the Court shall transfer the case forthwith.

IT IS SO ORDERED.

DATED: 10/12/07


SAUNDRA BROWN ARMSTRONG
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

ROBERT DUANE FRANKLIN,

Case Number: CV07-05080 SBA

Plaintiff,

CERTIFICATE OF SERVICE

v.

P.A.G. DUDLEY et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 15, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Robert Duane Franklin
H-96584
High Desert State Prison
P.O. Box 3030 A-1-138 Low
Susanville, CA 96127-3030

Dated: October 15, 2007

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk